

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING PERMIT TO DRILL A WATER WELL WITHOUT REGARD TO MINIMUM
STATUTORY SPACING

The Director of the Department of Natural Resources (Department) approves Application WSP-102, for a permit to drill a replacement irrigation well within 1,000 feet of existing industrial well A-010411U, submitted by Carson Day.

The terms and conditions of permit WSP-102 are as follows:

1. Permit WSP-102 is granted on the condition that water well G-043420 be replaced under the provisions of the Lower Platte North Natural Resources District's conditions for the issuance of a replacement water well construction permit.
2. The Applicant shall properly register the replacement water well constructed under permit WSP-102, pursuant to the requirements of Section 46-602(1) RSS.
3. The well shall be operated in compliance with all Nebraska statutes and all rules and regulations promulgated by the Lower Platte North Natural Resources District.

THIS PERMIT MAY BE REVOKED OR MODIFIED BY THE DEPARTMENT FOR FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE PERMIT.

DEPARTMENT OF NATURAL RESOURCES

November 24 , 2008

/s/
Brian P. Dunnigan, P.E., Acting Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing, in accordance with the Nebraska Administrative Procedures Act (Sections 84-901 et seq. RSS) and the Department's Rules of Practice and Procedure (456 N.A.C. Chapter 007). The request must be received by the Department at its Lincoln office (301 Centennial Mall South, 4th Floor State Office Building, Lincoln, Nebraska 68509-4676) within 30 days of the date of this Order and must be accompanied by a filing fee of \$10.

A copy of this Order granting Permit WSP-102 was mailed on November _____, 2008, to the Department's field office in Norfolk, Nebraska, and to the following:

Carson Day
1130 South County Road 26
Fremont, Nebraska 68025-7590

City of Fremont
Department of Utilities
3000 East First Street
Fremont, Nebraska 68028-6415

John Miyoshi, Manager
Lower Platte North Natural Resources District
511 Commercial Park Road
P.O. Box 126
Wahoo, Nebraska 68066